

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TIFFANY GOINS)	
)	No. 3-11-0015
v.)	
)	
BARNES AND NOBLE)	
BOOKSELLERS, INC. ¹)	

ORDER

Pursuant to the orders entered February 15, 2011 (Docket Entry Nos. 13-14), counsel for the parties called the Court on August 5, 2011, at which time the following matters were addressed:

1. The parties reported that they have exchanged documents, the plaintiff's deposition is scheduled on August 24, 2011, and the plaintiff expects to take the deposition of the defendant's district manager.

2. The parties have not exchanged settlement proposals, but they believe that, if a settlement can be reached in this case, the parties will be able to come to such a resolution themselves without the aid of ADR. However, if the parties want to address the potential for settlement or propriety of ADR with the Court, they may schedule a telephone conference call with the Court at any appropriate time.

3. The August 1, 2011, deadline for the plaintiff to serve expert disclosures in accord with Rule 26(a)(2) of the Federal Rules of Civil Procedure is extended to August 16, 2011.

4. The August 31, 2011, deadline for the defendant to serve Rule 26(a)(2) expert disclosures is extended to September 30, 2011. If, after the plaintiff's deposition, the defendant decides to schedule an IME for the plaintiff, such IME shall be conducted in time for the defendant

¹ Although there was discussion during the August 5, 2011, conference call with counsel for the parties and the Court about changing the name of the defendant, the Court mistakenly believed that such a change had not occurred. In fact, upon plaintiff's motion (Docket Entry No. 24), and by order entered March 8, 2011 (Docket Entry No. 26), Barnes & Noble Booksellers, Inc. was substituted for Barnes and Noble.com LLC, the originally named defendant. Therefore, there is no need to address this issue further.

to serve an expert report by September 30, 2011. If the defendant determines that it needs an IME and needs additional time to serve its expert disclosures as a result of issues relating to the scheduling of an IME or the health care provider's schedule, the defendant may move to extend this deadline or schedule a telephone conference call with the Court to address an extension.

5. Any discovery motions shall be filed by December 1, 2011.

Except as modified herein, the deadlines provided in the February 15, 2011, orders remain in full force and effect.

It is so ORDERED.



JULIET GRIFFIN
United States Magistrate Judge